

**UNITED STATES DISTRICT COURT**  
**FOR THE WESTERN DISTRICT OF LOUISIANA**  
**SHREVEPORT DIVISION**

**JOE THOMAS VALLEJO**

**CIVIL ACTION NO. 21-147-P**

**VERSUS**

**CHIEF JUDGE HICKS**

**JULLIAN WHITTINGTON, ET AL.**

**MAGISTRATE JUDGE HORNSBY**

**MEMORANDUM ORDER**

Before the court is a civil rights complaint filed in forma pauperis by pro se plaintiff Joe Thomas Vallejo (“Plaintiff”), pursuant to 42 U.S.C. § 1983. This complaint was received and filed in this court on January 19, 2021. Plaintiff is incarcerated at the Bossier Maximum Security Facility in Plain Dealing, Louisiana. Plaintiff names Jullian Whittington, Captain Bowyer, Lt. Porter, and the Bossier Parish Sheriff Office as defendants.

Plaintiff claims that during the entirety of his incarceration at the Bossier Maximum Security Facility, the staff has refused to implement a 14 day quarantine period as part of the intake process. He claims the staff consistently integrated potential Covid-19 carriers into the I-Pod. He claims the staff failed to prevent Covid-19 from entering the jail.

Plaintiff claims that on December 30, 2020, more than 50 percent of his housing unit tested positive for Covid-19. He claims staff members forced him to remain in the infected housing unit. He claims that due to his respiratory condition, he has become sick.

Accordingly, Plaintiff seeks monetary damages.

For a Section 1983 claim to be meritorious, the Plaintiff must allege facts sufficient to establish that state actors were deliberately indifferent to his constitutional rights. See Whitley v. Albers, 475 U.S. 312 (1986). Before this court can determine the proper disposition of this matter, the Plaintiff should be given the opportunity to set forth with specificity the factual basis of his claim. See Spears v. McCotter, 766 F.2d 179 (5th Cir. 1985).

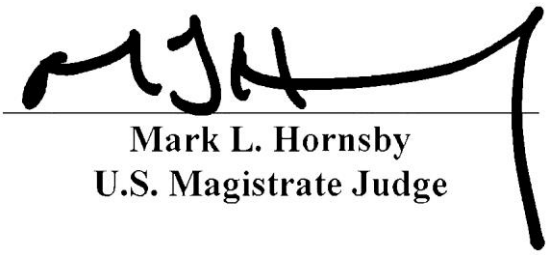
For this court to determine what action, if any, shall be taken on this suit;

**THE CLERK IS DIRECTED** to serve by mail, a copy of this memorandum order upon the Plaintiff, who is **ORDERED** to furnish to the Clerk of Court in Shreveport, Louisiana, within thirty (30) days after service of this order, an amended complaint setting forth the factual allegations of his civil rights suit. Specifically, the Plaintiff must submit the following to this court:

1. **WHO** violated his civil rights;
2. **WHEN** his civil rights were violated;
3. **HOW** his civil rights were violated; and
4. A list of **specific damages or prejudice** suffered by him.

Failure to do so will result in dismissal of Plaintiff's suit pursuant to Rule 41 of the Federal Rules of Civil Procedure.

**THUS DONE AND SIGNED**, in chambers, in Shreveport, Louisiana, on this  
1st day of March 2021.

  
Mark L. Hornsby  
U.S. Magistrate Judge